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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/679,931	10/06/2003	Nina Kang	MSFT9 (010756.104511)	2914
26389 7590 07/17/2007 CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC 1420 FIFTH AVENUE SUITE 2800 SEATTLE, WA 98101-2347		EXAMINER		
		JEAN GILLES, JUDE		
			. ART UNIT	PAPER NUMBER
			2143	
			MAIL DATE	DELIVERY MODE
			07/17/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)			
	10/679,931	KANG ET AL.			
Office Action Summary	Examiner	Art Unit			
	Jude J. Jean-Gilles	2143			
The MAILING DATE of this communication app		II TO TO THE STATE OF THE STATE			
Period for Reply					
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATIO 36(a). In no event, however, may a reply be tiviliance and will expire SIX (6) MONTHS from cause the application to become ABANDON	N. mely filed n the mailing date of this communication. ED (35 U.S.C. § 133).			
Status					
1) Responsive to communication(s) filed on 06 Oc	<u>ctober 2003</u> .				
2a) This action is FINAL . 2b) ⊠ This	This action is FINAL . 2b)⊠ This action is non-final.				
3) Since this application is in condition for allowar	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is				
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.					
Disposition of Claims					
4) Claim(s) 1-42 is/are pending in the application. 4a) Of the above claim(s) is/are withdray 5) Claim(s) is/are allowed. 6) Claim(s) 1-42 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or	vn from consideration.				
Application Papers					
9) ☐ The specification is objected to by the Examine 10) ☑ The drawing(s) filed on 06 October 2003 is/are: Applicant may not request that any objection to the Replacement drawing sheet(s) including the correct 11) ☐ The oath or declaration is objected to by the Ex	a)⊠ accepted or b)⊡ objected and accepted or b) objected drawing(s) be held in abeyance. Selion is required if the drawing(s) is old	ee 37 CFR 1.85(a). bjected to. See 37 CFR 1.121(d).			
Priority under 35 U.S.C. § 119					
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 					
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 02/09/2004.	4) Interview Summar Paper No(s)/Mail [5) Notice of Informal 6) Other:	Date			

DETAILED ACTION

This office action is responsive to communication filed on 10/06/2003.

Information Disclosure Statement

1. The references listed on the Information Disclosure Statement submitted on 02/09/2004 have been considered by the examiner (see attached PTO-1449A).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-6, 7, 9-12, 22-25, 27-30, and 40-42 are rejected under 35 U.S.C. 102(e) as being anticipated by Yoshida et al (Yoshida), Pub. No. 2003/0135613 A1.

Regarding claim 1-6, 7, 9-12, 22-25, 27-30, and 40-42, Yoshida discloses:

1. A system for discovering and identifying a server (fig. 2), the system comprising: a network comprising at least one domain, wherein at least one domain comprises at least one server; and a communication device (item 43)comprising:

a server monitoring unit (item 46, 47) operable for:

dynamically discovering at least one server on the network; monitoring at least one server on the network; and determining information associated with the monitored

server items (items 41, 46, 47; par. 0036-0041), wherein the information is used to connect to the monitored server after a network failure situation; and a potential server storage unit (item 48) operable for: storing the information associated with the monitored server (41, 46, 47; par. 0036-0041).

- 2. The system of claim 1, wherein the communication device further comprises: a role inquiry storage unit adapted to store role inquiry data used to determine the role of the server, wherein the role inquiry data comprises information inquiries pertaining to identification of a plurality of server types (items 46, 47).
- 3. The system of claim 2, wherein the potential server storage unit is further operable for receiving and storing potential server data used to identify potential servers, wherein the potential server data is received from a networking directory or from the server's response to the role inquiry data (0066-0072).
- 4. The system of claim 3, wherein the server monitoring unit is further operable for: communicating with the network, the role inquiry storage unit, and the potential server storage unit, wherein the server monitoring unit is operable for receiving the potential server data from the potential server storage unit; determining whether the potential server data requires additional information from a potential server, wherein the additional information comprises information to robustly connect to the potential server or to identify the server type of the potential server; receiving role inquiry data from the

role inquiry storage unit; providing role inquiry data to the potential server; receiving additional information from the potential server; determining the potential server's role from the additional information; and providing the additional information from the potential server to the potential server storage unit (0066-0072; 0036-0044).

- 5. The system of claim 4, the server monitoring unit further adapted to receive networking data from the networking directory and provide the networking data to the potential server storage unit as potential server data, wherein networking data comprises information necessary to robustly connect to the potential server or information necessary to identify the potential server's role (0036-0044).
- 6. The system of claim 1, the system further comprising: a network operating system unit adapted to communicate with the network and the server monitoring unit, wherein the network operating system unit is adapted for: receiving the potential server data and the role inquiry data from the server monitoring unit; providing the potential server data and the role inquiry data to the potential server; receiving the additional information from the potential server; and providing the additional information to the server monitoring unit (0036-0044).
- 7. A method for discovering a server in a network, the method comprising: dynamically discovering at least one server on a network; receiving a name of the at least one server on the network; filling in contact information associated with the at least one

server; storing the contact information necessary for connecting to the at least one server; determining whether the network is functioning properly; and connecting to the at least one server, if the network is not functioning properly (fig. 2, items 41, 43, 46, and 47, also see abstract; 0046-0044;).

- 9. The method of claim 7, wherein dynamically discovering at least one server comprises: generating a first list of enumerated domains through domain trust discovery; generating a second list of enumerated domains through directory partitions discovery; determining whether at least one domain was found in the first list of enumerated domains or the second list of enumerated domains; and generating a third list of enumerated domains through networking discovery, if no domain was found in the first list of enumerated domains or the second list of enumerated domains (It is the function of the server list manager 16 lists of servers, services, domains; see abstract; 0020-0026).
- 10. The method of claim 9, wherein dynamically discovering at least one server further comprises: generating a first list of enumerated servers through directory object discovery for each enumerated domain; determining whether an error occurred during the directory object discovery; performing a first sequence if an error did not occur during the directory object discovery, the first sequence comprising: determining whether a server was found in the first list of servers; and generating a second list of enumerated servers through networking discovery, if no server was found in the first list

of servers; and performing a second sequence if an error occurred during the directory object discovery, the second sequence comprising: generating a second list of enumerated servers through networking discovery (see abstract: 0020-0026).

- 11. The method of claim 7, wherein filling in contact information associated with the at least one server further comprises: receiving a server name from a user; receiving a first domain name from the user, if the user provides the first domain name; querying a server associated with the server name for a second domain name, wherein the server belongs to a domain identified by the second domain name; determining whether the user provided the first domain name; verifying the first domain name, if it is determined that the first domain name was provided by the user; determining whether the user provided a server identifier name; and processing the server identifier name, if the server identifier name was provided by the user (see abstract; 0020-0026).
- 12. The method of claim 11, wherein the method further comprises: determining whether an error occurred when querying the server identified by the server name for a second domain name; and terminating operation of the method if the determination is made that an error occurred (0020-0026; 0039, 0078).
- 22. A method for identifying a server in a network, the method comprising: designating a remote computer for determining a server role for the remote computer; selecting a role inquiry from a set of role inquiries; querying the remote computer with the role inquiry;

receiving a response to the role inquiry from the remote computer; and attempting to determine a server role of the remote computer from the response (0066-0072).

- 23. The method of claim 22, wherein the method further comprises: selecting a second role inquiry from a set of role inquiries, if the server role of the remote computer cannot be determined; querying the remote computer with the second role inquiry; receiving a second response to the second role inquiry from the remote computer; and determining server role of the remote computer from the second response (0066-0072).
- 24. The method of claim 22, wherein the attempt to determine a server role of the remote computer from the response is successful (0066-0072).
- 25. A computer-readable medium having computer-executable instructions for discovering a server in a network, the computer-executable instructions performing steps comprising: dynamically discovering at least one server on a network; receiving a name of the at least one server on the network; filling in contact information associated with the at least one server; storing the contact information necessary for connecting to the at least one server; determining whether the network is functioning properly; and connecting to the at least one server, if the network is not functioning properly (0066-0072; 0036-0044, and 0078).
- 27. The computer-readable medium of claim 25, wherein dynamically discovering at

least one server comprises: generating a first list of enumerated domains through domain trust discovery; generating a second list of enumerated domains through directory partitions discovery; determining whether at least one domain was found in the first list of enumerated domains or the second list of enumerated domains; and generating a third list of enumerated domains through networking discovery, if no domain was found in the first list of enumerated domains or the second list of enumerated domains (see abstract; 0020-0026).

- 28. The computer-readable medium of claim 27, wherein dynamically discovering at least one server further comprises: generating a first list of enumerated servers through directory object discovery for each enumerated domain; determining whether an error occurred during the directory object discovery; performing a first sequence if an error did not occur during the directory object discovery, the first sequence comprising: determining whether a server was found in the first list of servers; and generating a second list of enumerated servers through networking discovery, if no server was found in the first list of servers; and performing a second sequence if an error occurred during the directory object discovery, the second sequence comprising: generating a second list of enumerated servers through networking discovery (0066-0072; 0036-0044, and 0078).
- 29. The computer-readable medium of claim 25, wherein filling in contact information associated with the at least one server comprises: receiving a server name from a user;

receiving a first domain name from the user, if the user provides the first domain name; querying a server associated with the server name for a second domain name, wherein the server belongs to a domain identified by the second domain name; determining whether the user provided the first domain name; verifying the first domain name, if it is determined that the first domain name was provided by the user; determining whether the user provided a server identifier name; and processing the server identifier name, if the server identifier name was provided by the user (0066-0072; 0036-0044, and 0078).

- 30. The computer-readable medium of claim 29, having further computer-executable instructions for performing the steps of: determining whether an error occurred when querying the server identified by the server name for a second domain name; and terminating operation of the method if the determination is made that an error occurred (0021, 0039, and 0078).
- 40. A computer-readable medium having computer-executable instructions for identifying a server in a network, the computer-executable instructions performing steps comprising: designating a remote computer for determining a server role for the remote computer; selecting a role inquiry from a set of role inquiries; querying the remote computer with the role inquiry; receiving a response to the role inquiry from the remote computer; and attempting to determine a server role of the remote computer from the response (fig. 2).

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41. The computer-readable medium of claim 40, wherein the method further comprises: selecting a second role inquiry from a set of role inquiries, if the server role of the remote computer cannot be determined; querying the remote computer with the second role inquiry; receiving a second response to the second role inquiry from the remote computer; and determining server role of the remote computer from the second response (0066-0072).

42. The computer-readable medium of claim 40, wherein the attempt to determine a server role of the remote computer from the response is successful (0066-0072).

Claim Rejections - 35 USC § 103

- 5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 6. Claims 8, 13-21, 26, 31, and 33-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida in view of Alkhatib et al (Alkhatib) U.S. Pub. No. 2004/0249974 A1.

Regarding claim 8: Yoshida discloses the invention substantially as claimed.

Yoshida teaches an the method of claim 7, wherein determining whether the network is functioning properly comprises: determining whether a domain name service (DNS)

server is available by attempting to resolve a fully qualified domain name (FQDN) associated with the at least one server; and determining whether network basic input/output system (NetBIOS) traffic exists by attempting to resolve a NetBIOS name associated with the at least one server, wherein the network is functioning properly if the FQDN and the NetBIOS name resolve (0036, 0053, & 0057). However, Alkhatib does not disclose the details of resolving a DNS being specifically an FQDN in connection with the NetBIOS.

In the same field of endeavor, Alkhatib discloses "a DNS Response Packet that includes the following information: the target member FQDN; the target member virtual IP address; a source Route Director flag, the source member virtual IP address; the target member join time; the target member agent version; the target member private IP address; the target Route Director public IP address; the target member NetBIOS name;... discovering if the network is functioning properly" [see Alkhatib;0030, 0131, 0178, 00228].

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Alkhatib's teachings of a DNS being specifically an FQDN in connection with the NetBIOS with the teachings of Yoshida, for the purpose of improving the ability of a network "...to manage devices within a network community through an unambiguous domain name that specifies the node's position in the DNS tree hierarchy in a absolute fashion as it is known to an ordinary skill in the art". By this rationale, **claim 8** is rejected.

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Regarding claims 13-21, 26, 31, and 33-38, the combination Yoshida – Alkhatib:

- 13. The method of claim 11, wherein the server identifier name is selected from a list comprising a NetBIOS name and a FQDN (see Yoshida, 0066-0072; 0036-0044, and 0078; see Alkhatib;0030, 0131, 0178, 00228]).
- 14. The method of claim 13, wherein verifying the first domain name comprises: determining whether the first domain name is the same as the second domain name; using the second domain name as a designated domain name if it is determined that the first domain name and the second domain name are not the same; using the first domain name as a designated domain name if it is determined that the first domain name and the second domain name are the same; and marking a flag that identifies the designated domain name as not validated (see Yoshida, 0066-0072; 0036-0044, and 0078; see Alkhatib;0030, 0131, 0178, 00228]).
- 15. The method of claim 14, wherein processing the NetBIOS name or FQDN comprises: using a network directory to search for a server identified by the NetBIOS name or the FQDN within a predetermined domain; determining whether the server identified by the NetBIOS name or FQDN was found in the predetermined domain; performing a first sequence if the server identified by the NetBIOS name or FQDN was not found in the predetermined domain, the first

sequence comprising: determining whether the designated domain name is validated; and validating the designated domain name, if it is determined that the designated domain name was not validated; and performing a second sequence if the server identified by the NetBIOS name or FQDN was found in the predetermined domain, the second sequence comprising: storing the NetBIOS name as contact information, if the server was identified by the NetBIOS name; and storing the FQDN as contact information, if the server was identified by the FQDN (see Yoshida, 0066-0072; 0036-0044, and 0078; see Alkhatib;0030, 0131, 0178, 00228).

- 16. The method of claim 15, wherein validating the designated domain name comprises: using DNS reverse lookup to find a correct name type; determining whether DNS reverse lookup found the correct name type; performing a third sequence if DNS reverse lookup did not find the correct name type, the third sequence comprising: designating the NetBIOS name as contact information, if the user provided the NetBIOS name; and designating a first label of the FQDN as contact information, if the user did not provide the NetBIOS name (see Yoshida, 0066-0072; 0036-0044, and 0078; see Alkhatib;0030, 0131, 0178, 00228).
- 17. The method of claim 7, wherein storing the contact information necessary for connecting to the at least one server comprises: determining a valid internet

protocol (IP) address for connecting to the server; sending an administrative network call to the server using the valid IP address; determining whether an error occurred when sending the administrative network call to the server; performing a first sequence if an error did not occur when sending the administrative network call to the server, the first sequence comprising: storing the valid IP address as contact information; and performing a second sequence if an error did occur when sending the administrative network call to the server, the second sequence comprising: determining whether a FQDN associated with the server is valid; storing a NetBIOS name associated with the server, if the FQDN is not valid; and storing the FQDN associated with the server, if the FQDN is valid (see Yoshida, 0066-0072; 0036-0044, and 0078; see Alkhatib;0030, 0131, 0178, 00228).

- 18. The method of claim 17, wherein determining whether a FQDN associated with the server is valid comprises determining whether the FQDN is non-null FQDN (see Yoshida, 0066-0072; 0036-0044, and 0078; see Alkhatib;0030, 0131, 0178, 00228).
- 19. The method of claim 17, wherein determining a valid IP address comprises: determining whether the server has a non-null FQDN; determining whether the FQDN resolves properly, if the server has a non-null FQDN; and designating an IP address retrieved from resolving the FQDN as the valid IP address, if the

FQDN resolves properly (see Yoshida, 0066-0072; 0036-0044, and 0078; see Alkhatib; 0030, 0131, 0178, 00228).

- 20. The method of claim 19, wherein determining a valid IP address further comprises: determining whether the server has a non-null NetBIOS name; determining whether the NetBIOS name resolves properly, if the server has a non-null NetBIOS name; and designating an IP address retrieved from resolving the NetBIOS name as the valid IP address, if the NetBIOS name resolves properly (see Yoshida, 0066-0072; 0036-0044, and 0078; see Alkhatib;0030, 0131, 0178, 00228).
- 21. The method of claim 20, wherein determining a valid IP address further comprises: determining if there is a cached IP address associated with the server; and designating the cached IP address as the valid IP address, if there the cached IP address associated with the server exists (see Yoshida, 0066-0072; 0036-0044, and 0078; see Alkhatib;0030, 0131, 0178, 00228).
- 26. The computer-readable medium of claim 25, wherein determining whether the network is functioning properly comprises: determining whether a DNS server is available by attempting to resolve a FQDN associated with the at least one server; and determining whether NetBIOS traffic exists by attempting to resolve a NetBIOS name associated with the at least one server, wherein the network is

functioning properly if the FQDN and the NetBIOS name resolve *see* (see Yoshida, 0066-0072; 0036-0044, and 0078; Alkhatib;0030, 0131, 0178, 00228).

- 31. The computer-readable medium of claim 29, wherein the server identifier name is selected from a list comprising a NetBIOS name and a FQDN (see Yoshida, 0066-0072; 0036-0044, and 0078; see Alkhatib;0030, 0131, 0178, 00228).
- 32. The computer-readable medium of claim 31, wherein verifying the first domain name comprises: determining whether the first domain name is the same as the second domain name; using the second domain name as a designated domain name if it is determined that the first domain name and the second domain name are not the same; using the first domain name as a designated domain name if it is determined that the first domain name and the second domain name are the same; and marking a flag that identifies the designated domain name as not validated (see Yoshida, 0066-0072; 0036-0044, and 0078; see Alkhatib;0030, 0131, 0178, 00228).
- 33. The computer-readable medium of claim 32, wherein processing the NetBIOS name or FQDN comprises: using a network directory to search for a server identified by the NetBIOS name or the FQDN within a predetermined domain; determining whether the server identified by the NetBIOS name or

FQDN was found in the predetermined domain; performing a first sequence if the server identified by the NetBIOS name or FQDN was not found in the predetermined domain, the first sequence comprising: determining whether the designated domain name is validated; and validating the designated domain name, if it is determined that the designated domain name was not validated; and performing a second sequence if the server identified by the NetBIOS name or FQDN was found in the predetermined domain, the second sequence comprising: storing the NetBIOS name as contact information, if the server was identified by the NetBIOS name; and storing the FQDN as contact information, if the server was identified by the FQDN (see Yoshida, 0066-0072; 0036-0044, and 0078; see Alkhatib; 0030, 0131, 0178, 00228).

34. The computer-readable medium of claim 33, wherein validating the designated domain name comprises: using DNS reverse lookup to find a correct name type; determining whether DNS reverse lookup found the correct name type; performing a third sequence if DNS reverse lookup did not find the correct name type, the third sequence comprising: designating the NetBIOS name as contact information, if the user provided the NetBIOS name; and designating a first label of the FQDN as contact information, if the user did not provide the NetBIOS name (see Yoshida, 0066-0072; 0036-0044, and 0078; see Alkhatib;0030, 0131, 0178, 00228).

- 35. The computer-readable medium of claim 25, wherein storing the contact information necessary for connecting to the at least one server comprises: determining a valid internet protocol (IP) address for connecting to the server: sending an administrative network call to the server using the valid IP address: determining whether an error occurred when sending the administrative network call to the server; performing a first sequence if an error did not occur when sending the administrative network call to the server, the first sequence comprising: storing the valid IP address as contact information; and performing a second sequence if an error did occur when sending the administrative network call to the server, the second sequence comprising: determining whether a FQDN associated with the server is valid; storing a NetBIOS name associated with the server, if the FQDN is not valid; and storing the FQDN associated with the server, if the FQDN is valid see Yoshida, 0066-0072; 0036-0044, and 0078; see Alkhatib;0030, 0131, 0178, 00228).
- 36. The computer-readable medium of claim 35, wherein determining whether a FQDN associated with the server is valid comprises determining whether the FQDN is non-null FQDN (see Yoshida, 0066-0072; 0036-0044, and 0078; see Alkhatib;0030, 0131, 0178, 00228).
- 37. The computer-readable medium of claim 35, wherein determining a valid IP address comprises: determining whether the server has a non-null FQDN;

determining whether the FQDN resolves properly, if the server has a non-null FQDN; and designating an IP address retrieved from resolving the FQDN as the valid IP address, if the FQDN resolves properly (see Yoshida, 0066-0072; 0036-0044, and 0078; see Alkhatib;0030, 0131, 0178, 00228).

- 38. The computer-readable medium of claim 37, wherein determining a valid IP address further comprises: determining whether the server has a non-null NetBIOS name; determining whether the NetBIOS name resolves properly, if the server has a non-null NetBIOS name; and designating an IP address retrieved from resolving the NetBIOS name as the valid IP address, if the NetBIOS name resolves properly (see Yoshida, 0066-0072; 0036-0044, and 0078; see Alkhatib;0030, 0131, 0178, 00228).
- 39. The computer-readable medium of claim 38, wherein determining a valid IP address further comprises: determining if there is a cached IP address associated with the server; and designating the cached IP address as the valid IP address, if there the cached IP address associated with the server exists (see Yoshida, 0066-0072; 0036-0044, and 0078; see Alkhatib;0030, 0131, 0178, 00228).

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Conclusion

7. Any inquiry concerning this communication or earlier communications from examiner

should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914.

The examiner can normally be reached on Monday-Thursday and every other Friday

from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David Wiley, can be reached on (571) 272-3923. The fax phone number for

the organization where this application or proceeding is assigned is (703) 305-3719.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703) 305-

3900.

Jude Jean-Gilles

Patent Examiner

Art Unit 2143

JJG

July 7, 2007

SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

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